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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
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6

7 **IN RE GOOGLE PLAY STORE**
8 **ANTITRUST LITIGATION**

9 This Document Relates To:

10 *Epic Games Inc. v. Google LLC et al.*, Case
No. 3:20-cv-05671-JD

11 *In re Google Play Consumer Antitrust*
12 *Litigation*, Case No. 3:20-cv-05761-JD

13 *State of Utah et al. v. Google LLC et al.*,
Case No. 3:21-cv-05227-JD

14 *Match Group, LLC et al. v. Google LLC et al.*,
15 Case No. 3:22-cv-02746-JD
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Case No. 3:21-md-02981-JD

**DECLARATION OF GLENN
POMERANTZ IN SUPPORT OF
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

Judge: Hon. James Donato

1 I, Glenn Pomerantz, declare as follows:

2 1. I am an attorney duly admitted to practice law in the State of California and before
3 this Court. I am a Partner at Munger, Tolles & Olson LLP, and represent the Defendants in this
4 action. I submit this Declaration in support of Defendants' Motion for Partial Summary
5 Judgment. The contents of this declaration are based on my personal knowledge, including my
6 personal knowledge of the documents cited herein. The facts set forth herein are within my
7 personal knowledge and, if called as a witness, I could and would competently testify to them.

8 2. **Exhibit 1** is a true and correct copy of the Merits Report of Hal J. Singer, Ph.D.
9 ("Singer Merits Rep."), dated October 19, 2022.

10 3. **Exhibit 2** is a true and correct copy of the Expert Report of Dr. Marc Rysman
11 ("Rysman Merits Rep."), dated October 3, 2022.

12 4. **Exhibit 3** is an excerpt of a true and correct copy of the deposition transcript of
13 Jamie Rosenberg taken in this litigation on February 10, 2022.

14 5. **Exhibit 4** is a true and correct copy of the document produced by Google in this
15 litigation bearing the Bates range GOOG-PLAY-008166885 to GOOG-PLAY-008166886.

16 6. **Exhibit 5** is a true and correct copy of the document produced by Google in this
17 litigation bearing the Bates range GOOG-PLAY-000057598 to GOOG-PLAY-000057599.

18 7. **Exhibit 6** is a true and correct copy of the document produced by Google in this
19 litigation bearing the Bates range GOOG-PLAY-000057609 to GOOG-PLAY-000057612.

20 8. **Exhibit 7** is a true and correct copy of a blog post by Sameer Samat entitled,
21 *Listening to Developer Feedback to Improve Google Play*, Android Blog (Sept. 28, 2020) and
22 marked as deposition exhibit PX713 at the deposition of Sameer Samat taken on February 3, 2023.

23 9. **Exhibit 8** is a true and correct copy of the document produced by Google in this
24 litigation bearing the Bates range GOOG-PLAY-000621470 to GOOG-PLAY-000621471.

25 10. **Exhibit 9** is a true and correct copy of the document produced by Google in this
26 litigation bearing the Bates range GOOG-PLAY-005031379 to GOOG-PLAY-005031384

27 11. **Exhibit 10** is a true and correct copy of the document produced by Google in this
28 litigation bearing the Bates range GOOG-PLAY-007273439 to GOOG-PLAY-007273444.

1 12. **Exhibit 11** is a true and correct copy of the document produced by Google in this
2 litigation bearing the Bates range GOOG-PLAY-000929031 to GOOG-PLAY-000929041.

3 13. **Exhibit 12** is a true and correct copy of Epic Games, Inc.’s Responses and
4 Objections to Defendants’ Amended Fifth Set of Interrogatories, dated January 19, 2023.

5 14. **Exhibit 13** is a true and correct copy of Plaintiffs Match Group, LLC’s et al.’s
6 Responses and Objections to Defendants’ Contention Interrogatories, dated January 19, 2023.

7 15. **Exhibit 14** is an excerpt of a true and correct copy of the deposition transcript of
8 Douglas Bernheim taken in this litigation on April 6, 2023.

9 16. **Exhibit 15** is an excerpt of a true and correct copy of the deposition transcript of
10 Marc S. Rysman, Ph.D. taken in this litigation on March 10, 2023.

11 17. **Exhibit 16** is an excerpt of a true and correct copy of the deposition transcript of
12 Hal J. Singer, Ph.D. taken in this litigation on April 4, 2023 (“Singer Merits. Dep.”).

13 18. **Exhibit 17** is a true and correct copy of the document produced by Google in this
14 litigation bearing the Bates range GOOG-PLAY4-006402390 to GOOG-PLAY4-006402402.

15 19. **Exhibit 18** is a true and correct copy of an article by Amir Efrati, *Verizon Preps*
16 *Challenge to Google’s App Store*, The Information (Aug. 20, 2014),
17 <https://www.theinformation.com/articles/verizon-preps-challenge-to-google-s-app-store>.

18 20. **Exhibit 19** is an excerpt of a true and correct copy of the deposition transcript of
19 Hal J. Singer, Ph.D. taken in this litigation on May 12, 2022 (“Singer Class Cert. Dep.”).

20 21. **Exhibit 20** is an excerpt of a true and correct copy of the deposition transcript of
21 Steven Schwartz, Ph.D. taken in this litigation on March 28, 2023.

1 DATED: April 20, 2023

Respectfully submitted,

3 By: /s/ Glenn D. Pomerantz

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E-FILING ATTESTATION

I, Glenn D. Pomerantz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(h)(3), I hereby attest that counsel for Defendants have concurred in this filing.

/s/ Glenn D. Pomerantz

Glenn D. Pomerantz